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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER	
HWANG, VICTOR KENNY	
ART UNIT	**PAPER NUMBER**
3764	

DATE MAILED: 05/12/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/611,984	VAN STRAATEN ET AL.	
	Examiner	Art Unit	
	Victor K. Hwang	3764	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *27 February 2006*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-57* is/are pending in the application.

4a) Of the above claim(s) *11-13,28,32-34,52,53 and 57* is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-10,14-27,29-31,35-51 and 54-56* is/are rejected.

7)☒ Claim(s) *31* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *03 July 2003* is/are: a)☐ accepted or b)☒ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *10/3/03 & 12/17/03*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Election/Restrictions

1. Applicant's election of Species A in the reply filed on February 27, 2006 is acknowledged. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)).

2. Claims 11-13, 28, 32-34, 52, 53 and 57 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected species, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on February 27, 2006.

Drawings

3. The drawings are objected to because:

in Fig. 4, the reference character "82" presumably should be replaced with --182--; and

in Fig. 8, the portion of the drawing indicating the area *a* presumably should be relocated since its current location inaccurately identifies the cross sectional area of the piston 288 (as referred to in paragraph [0076]).

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing

should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

4. The disclosure is objected to because of the following informalities:

in paragraph [0039], the first two sentences repeat paragraph [0038] and presumably should be deleted; and

in paragraph [0069], line 10, the recitation "of the wall" presumably should be deleted, in order to accurately describe the operation of the resistance assembly.

Appropriate correction is required.

Claim Objections

5. Claim 31 is objected to because of the following informalities: claim 31 presumably should depend from claim 25, in order to provide antecedent basis for "the fluid pump" and "the pressure relief device." Appropriate correction is required.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claims 1-5, 7-9 and 46 are rejected under 35 U.S.C. 102(b) as being anticipated by *Van Straaten* (US Pat. 5,718,659). *Van Straaten'659* discloses an exercise machine (Figs. 7 and 8) which includes an elongate frame 16 with opposed upper and lower ends and opposed sides which form an enclosure. A support member 18 supports the frame 16 at an inclined position with the lower end on the ground whereby the frame 16 on one side has an inclined upwardly facing surface and on an opposing side and inclined downwardly facing surface. A seat 12 is mounted to the frame between the upper and lower ends of the frame 16 and extends from the inclined upwardly facing surface. A resistance assembly comprising elastic bands 36 is operably mounted to the exercise machine. At least a first handle 42 is provided at the upper end of the frame which is movable by a user on the seat against a first resistance force generated by the resistance assembly. At least a second handle 42 is provided at the lower end of the frame and is movable by a user on the seat against a second resistance generated by the resistance assembly.

The seat 12 is movable between the first operative position and a first storage position at which the seat overlies a first part of the enclosure. A footpiece 82 is removably mounted at the lower end of the frame and at a second operative position rests on the ground to receive at least one foot of a user. The footpiece is therefore movable between the second operative position and a second storage position at which the footpiece overlies a second part of the enclosure, though

the second storage position is not disclosed or shown. The footpiece is capable of being positioned in the second storage position and is considered to satisfy the claimed limitation in claim 4. A backrest (see Fig. 8) is mounted to the frame above the seat.

The elastic bands of the resistance assembly are supported by a cross-bar 30 which extends from the upper end of the frame 16 and by a foot 20 at the lower end of the elongate frame 16. The elastic bands could extend through the frame 16 and through or alongside the foot 20 and cross-bar 30, in order to provide a neater configuration (col. 5, lines 7-15). This disclosure is considered to read upon the limitation of the resistance assembly inside an enclosure formed by the elongate frame 16 (claims 1 and 46).

The elastic bands 36 may have different strengths. A single handle can be connected to any one or more of the bands 36 to allow a user to select the elastic resistance against which to exercise (col. 4, lines 49-54). This disclosure is considered to read upon the limitation of at least one control for controlling the first and second resistance forces (claim 5).

The bands have connectors 40 at each end that read upon the claim limitation of first and second components that are movable relative to each other and wherein the first component is movable by means of one of the first and second handles relatively to the second component and to the frame, and the second component is movable by means of the other of the first and second handles relatively to the first component and the frame (claim 7).

8. Claims 1, 3, 7-10, 14-19, 35-37, 40 and 42-46 are rejected under 35 U.S.C. 102(b) as being anticipated by *Lehtonen* (US Pat. 5,403,257). *Lehtonen* discloses an exercise machine which includes an elongate frame 10 with opposed upper and lower ends and opposed sides

which form an enclosure. A resistance assembly *R* is inside the enclosure of the frame. A support member 14 supports the frame at an inclined position with the lower end on the ground whereby the frame on one side has an inclined upwardly facing surface and on an opposing side and inclined downwardly facing surface. A seat 16 is mounted to the frame between the upper and lower ends of the frame and extends from the inclined upwardly facing surface. At least a first handle 52, 72, 156 or 198 is provided at the upper end of the frame which is movable by a user on the seat against a first resistance force generated by the resistance assembly. At least a second handle 24, 154 or 204 is provided at the lower end of the frame and is movable by a user on the seat against a second resistance generated by the resistance assembly.

A footpiece 12 is at the lower end of the frame and at a second operative position to rest on the ground to receive at least one foot of a user. A backrest 18 is mounted to the frame above the seat. At least one support 58 extends from the upper end of the frame and at least the first handle is supported by the support, whereby a user on the seat can cause the at least one handle 52 to move downwardly relative to the support 58 against the resistance. An arm 22 can be pivotally mounted to the seat 16 against which at least one foot of a user on the seat can engage to result in movement of the resistance assembly.

The resistance assembly *R* may comprise a piston rod and cylinder that are hydraulically or pneumatically loaded (col. 7, lines 20-24). The piston rod is an elongate member which is mounted, at least partly inside the cylinder, for reciprocating movement in its longitudinal direction relative to the cylinder. The resistance assembly *R* is movable in opposite directions relative to the frame during exercise. The resistance assembly may include pulley block mechanisms 120,122 to multiply the relatively short movement of the resistance element to a

longer movement (col. 5, lines 8-24). This provides a mechanical advantage system to increase the stroke length of the handles relative to the movement of the resistance assembly.

The resistance assembly may be mounted such that first and second supports 182,184 engage with first and second ends of the resistance assembly to limit the movement of the first and second ends of the resistance assembly relative to the frame. See Fig. 8.

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

10. Claims 20-23, 26, 27, 47-49 and 54-56 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Lehtonen* (US Pat. 5,403,257) in view of *Wu* (US Pat. 4,333,645). *Lehtonen* has been discussed above, and such discussion is incorporated herein. *Lehtonen* discloses the invention as claimed except for structural details of the pneumatically loaded piston and cylinder resistance assembly, including: apparatus for establishing a controlled fluid pressure inside the cylinder, whereby the resistance force is dependent at least on the fluid pressure inside the cylinder (claims 20 and 47), the apparatus including a gas-pressurized cylinder (claim 26); the fluid pressure is increased by the telescoping movement of the assembly and exerts a force which tends to extend the assembly and restore the first actuator to the first rest position and the second actuator to the second rest position (claim 22); the piston includes a piston head which is mounted for reciprocating movement inside the cylinder and a piston rod which is attached to the

piston head and which extends from the cylinder, the fluid pressure inside the cylinder on opposed sides of the piston head being the same, and wherein the increase in fluid pressure, due to the telescoping movement, is dependent on the extent to which the piston rod extends into the cylinder (claims 23, 48 and 54), the volume of gas displaced being the cross-sectional area of the rod multiplied by the distance the rod moves into the cylinder, i.e. l x a (claim 49); and the piston head having a passage between the inner side and the outer side thereof to allow for free movement of gas inside the cylinder (claims 55 and 56).

Wu discloses a cylinder and piston resistance assembly that is pneumatically loaded to provide a resistance for exercise of a user's muscles. The pneumatically loaded piston and cylinder resistance assembly is designed so that the ends of the assembly return to their original positions when they are released. Gas pressure within the cylinder 1 increases as the piston rod 13 extends into the cylinder. The piston head 7 has a bore 7A to permit the pressure on the two sides of the piston head to be equal (col. 2, lines 33-35) and to provide a damping effect to the movement of the piston that prevents injury to a user (col. 3, lines 1-5). The movement of the rod into the cylinder causes a decrease in the volume of air and a resultant increase in pressure within the cylinder. The difference between the pressure within the cylinder and atmospheric pressure causes the piston rod and head to return to their original extended position.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the exercise machine of *Lehtonen* with the pneumatically loaded piston and cylinder resistance assembly of *Wu*, since *Lehtonen* discloses that the piston and cylinder resistance assembly may be pneumatically loaded and since *Wu* discloses a representative pneumatically loaded piston and cylinder resistance assembly for providing

exercise resistance that is also damped in the piston's movement to prevent injury to a user (col. 3, lines 1-5).

11. Claims 5, 20-22, 25-27, 29, 38 and 49-51 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Lehtonen* (US Pat. 5,403,257) in view of *Dreier* (US Pat. 4,826,156). *Lehtonen* has been discussed above, and such discussion is incorporated herein. *Lehtonen* discloses the invention as claimed except for structural details of the pneumatically loaded resistance assembly, including: apparatus for establishing a controlled fluid pressure inside the cylinder, whereby the resistance force is dependent at least on the fluid pressure inside the cylinder (claims 20 and 49), the apparatus including a gas-pressurized cylinder (claim 26); the fluid pressure is increased by the telescoping movement of the assembly and exerts a force which tends to extend the assembly and restore the first actuator to the first rest position and the second actuator to the second rest position (claim 22); the apparatus includes a fluid pump for pressurizing fluid inside the cylinder and a pressure relief device for reducing in a controlled manner the pressure of the fluid inside the cylinder, i.e. controls for controlling the fluid pressure inside the cylinder (claims 5, 25, 29 and 38); the volume of gas displaced being the cross-sectional area of the rod multiplied by the distance the rod moves into the cylinder, i.e. $l \times a$ (claim 49); and the rod being tubular with a hollow interior and the first end open and in communication with the interior of the cylinder, and the second end sealed (claims 50 and 51).

Dreier discloses a pneumatically loaded resistance assembly comprising a gas-pressurized cylinder 6, 22, 26, 31 or 34 wherein the fluid pressure is increased by the telescopic movement of the assembly. A fluid pressure pump, such as compressor 16, allows for

pressurization of the system above atmospheric pressure. The elongate member 24 (Fig. 6) may be solid or hollow, the hollow embodiment providing an increased total volume and therefore reducing the increase in pressure as the assembly is telescopically moved (col. 2, lines 43-48). The pressurization of the system by the compressor allows for a substantially constant exercise resistance (col. 2, lines 15-30).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the exercise machine of *Lehtonen* with the pneumatically loaded resistance assembly of *Dreier*, since *Lehtonen* discloses that the resistance assembly may be pneumatically loaded and since *Dreier* discloses a representative pneumatically loaded resistance assembly for providing exercise resistance wherein the high pressure of the system provides the exercise resistance, and the telescopic movement of the elongate member into the pressurized cylinder negligibly changes the exercise resistance (col. 2, lines 15-30), i.e. the resistance stays constant during the exercise movement.

12. Claims 6, 30, 31 and 39 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Lehtonen* (US Pat. 5,403,257) in view of *Dreier* (US Pat. 4,826,156) as applied respectively to claims 5, 29, 27 or 25, and 38 above, and further in view of *Kallios* (US Pat. 5,310,394). *Lehtonen* in view of *Dreier* discloses the invention as claimed except for: the controls being foot-operated (claim 30); the footpiece including a first control for controlling the fluid pump and a second control for controlling the pressure relief device (claim 31); and the at least one control mounted to the footpiece (claims 6 and 39).

Kallios discloses an adjustable pneumatic piston and cylinder assembly and control means for controlling an air compressor including pneumatic switches to monitor the pressure values and set pressure levels. Two switches 36 and 37 are mounted to a footpiece on the exercise machine for actuation by the feet of a user. A first switch 37 controls the air from the compressor and a second switch 36 controls a pressure relief device. The foot switches permit exercise while a user's hands are occupied during exercise.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the fluid pressure control system of *Lehtonen* in view of *Dreier* foot switches mounted to the footpiece, since *Kallios* discloses the use of a pair of foot switches on a footpiece for controlling the pressure within a pneumatic cylinder during exercise while the user's hands are occupied during exercise.

13. Claim 41 is rejected under 35 U.S.C. 103(a) as being unpatentable over *Lehtonen* (US Pat. 5,403,257) in view of *Van Straaten* (US Pat. 5,718,659). *Lehtonen* and *Van Straaten'659* have been discussed above, and such discussion is incorporated herein. *Lehtonen* disclosers the invention as claimed except for the seat being movable between an operative position and a storage position at which he seat overlies a first part of the enclosure and of the resistance assembly, and the footpiece at the lower end of the frame is movable between an operative position and a storage position at which the footpiece overlies a second part of the enclosure and of the resistance assembly.

Van Straaten'659 discloses a seat 12 being movable between an operative position and a storage position, so that the exercise machine may be stored in a compact configuration. The

footpiece 82 is also removable from the frame 16. Folding of the exercise machine into a compact size allows for easy storage (col. 4, lines 21-31).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the seat and footpiece of *Lehtonen* with means for moving them to storage positions, since *Van Straaten '659* teaches that folding of the exercise machine provides a relatively small size that can be easily stored (col. 4, lines 21-31).

Double Patenting

14. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. A nonstatutory obviousness-type double patenting rejection is appropriate where the conflicting claims are not identical, but at least one examined application claim is not patentably distinct from the reference claim(s) because the examined application claim is either anticipated by, or would have been obvious over, the reference claim(s). See, e.g., *In re Berg*, 140 F.3d 1428, 46 USPQ2d 1226 (Fed. Cir. 1998); *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) or 1.321(d) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent either is shown to be commonly owned with this application, or claims an invention made as a result of activities undertaken within the scope of a joint research agreement.

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

15. Claims 1, 3, 7-10, 14-24, 26, 27, 35-37, 40, 42-51 and 54-56 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-11 of copending Application No. 10/611,870 (US Pat. Pub. 2004/0138032 A1) in view of

Lehtonen (US Pat. 5,403,257). Claims 1-11 of the copending application disclose a pneumatic resistance assembly for use in an exercise machine.

Claims 1-11 do not disclose the exercise machine including an elongate frame with opposed upper and lower ends and opposed sides which form an enclosure. The resistance assembly inside the enclosure of the frame. A support member to support the frame at an inclined position with the lower end on the ground whereby the frame on one side has an inclined upwardly facing surface and on an opposing side and inclined downwardly facing surface. A seat mounted to the frame between the upper and lower ends of the frame and extends from the inclined upwardly facing surface. At least a first handle provided at the upper end of the frame which movable by a user on the seat against a first resistance force generated by the resistance assembly. At least a second handle provided at the lower end of the frame and movable by a user on the seat against a second resistance generated by the resistance assembly. A footpiece at the lower end of the frame and at a second operative position to rest on the ground to receive at least one foot of a user. A backrest mounted to the frame above the seat. At least one support extending from the upper end of the frame and at least the first handle supported by the support, whereby a user on the seat can cause the at least one handle to move downwardly relative to the support against the resistance. An arm pivotally mounted to the seat against which at least one foot of a user on the seat can engage to result in movement of the resistance assembly.

Lehtonen has been discussed above, and such discussion is incorporated herein. *Lehtonen* discloses an exercise machine having the required structure. *Lehtonen* also discloses that the resistance assembly may be a pneumatically loaded resistance assembly.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to use the exercise resistance assembly of claims 1-11 of the copending application in the exercise machine of *Lehtonen*, since *Lehtonen* discloses that the resistance assembly to be used with the exercise machine may be a pneumatically loaded resistance assembly (col. 7, lines 20-24) and since the preamble of claims 1-11 states that the resistance assembly is for use in an exercise machine.

This is a provisional obviousness-type double patenting rejection.

Allowable Subject Matter

16. Claim 24 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims, and the filing of a proper terminal disclaimer in response to the above provisional double patenting rejection.

17. The following is a statement of reasons for the indication of allowable subject matter: the prior art of record does not disclose an exercise machine as claimed wherein the piston includes a piston rod and piston head mounted for reciprocating movement inside a cylinder, the fluid pressure inside the cylinder on opposed sides of the piston head being the same, the increase in fluid pressure dependent on the extent to which the piston rod extends into the cylinder and the piston rod includes a hollow interior with a sealed distal end and an open proximal mouth located inside the cylinder whereby the fluid pressure in the hollow interior is the same as inside the cylinder.

Dreier (US Pat. 4,826,156) discloses a hollow rod, but not a piston head having fluid pressure equal on both sides of the head. *Berkestad et al.* (US Pat. 3,944,221) discloses a hollow piston rod with an opening to the cylinder and a piston head (Fig. 2), but the pressure on both sides of the head are not equal.

Conclusion

18. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Berkestad et al. (US Pat. 3,944,221) and *Tong* (US Pat. 4,832,335) disclose a hollow piston rod having an opening so that the pressure within the hollow rod can be equal to the pressure within a part of the cylinder.

Chase (US Pat. 4,183,520) discloses a piston head having a passage so that the fluid pressure on both sides of the piston head is equal.

19. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Victor K. Hwang whose telephone number is (571) 272-4976. The examiner can normally be reached Monday through Friday from 7:30 AM to 4:00 PM Eastern time.

The facsimile number for submitting papers directly to the examiner for informal correspondence is (571) 273-4976. The facsimile number for submitting all formal correspondence is (571) 273-8300.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory L. Huson can be reached on (571) 272-4887.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Victor K. Hwang
May 10, 2006